

## Historic Resources Commission Meeting Minutes of May 9, 2007

**Members Present:** Alice Coppedge, Amanda Starcher, Marsha Shortell, Jay Winer, John Cram, Scott Riviere, Todd Williams, Suzanne Jones, Rob Moody, Lupe Perez

**Members Absent:** Cheryl McMurry, Alice Keller, Jackson Bebbler, Diane Duermit

**Staff:** Stacy Merten, Curt Euler, Jennifer Blevins

**Public:** Gregg Homolka, Todd Fowler, Tim Harrison, Nichole Mitchell, Hunter Kalman, Steve Moberg, David Aiton, Geoff Ray

**Call to Order:** Chair Winer called the meeting to order at 4:05 p.m. with a quorum present.

**Adoption of Minutes:** Commissioner Jones noted that the address was omitted in the section regarding the preliminary review for the S & W Cafeteria Building. She also stated that one of the reasons given for approval of the porch enclosure at 117 Flint Street was not within the purview of the HRC. Other Commissioners agreed that the lack of discussion recorded in the minutes would make it seem so. They agreed to table the approval of the April, 2007 minutes until the June meeting so that more detail could be included.

### Public Hearings:

	Agenda Item
<b>Owner/Applicant :</b>	Geoff & Lisa Ray
<b>Subject Property:</b>	303 Cumberland Avenue
<b>Hearing Date:</b>	May 9, 2007
<b>Historic District:</b>	Montford
<b>PIN:</b>	9649.13-04-3598
<b>Zoning District:</b>	RS-8
<b>Other Permits:</b>	Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She said the project was on the agenda as a preliminary review at the April meeting and no changes were suggested. She noted that she had asked the applicant to provide window specifications.
<b>Applicant(s) or Applicant Representative(s)</b>	Geoff Ray, the applicant, passed around specifications for the windows. He said they would be Marvin brand, wood, SDL casements.

Public Comment	
Speaker Name	Issue(s)
None	

#### Commission Comments/Discussion

Commissioner Moody asked if the muntin pattern would match the windows on the rest of the house and Mr. Ray clarified that the new windows are larger so they would have eight panes instead of six. Commissioner Riviere said the project would be a great improvement.

#### Commission Action

##### MOTION TO ADOPT FINDINGS OF FACT

Mister Chair, based upon the evidence presented to this Commission, including Exhibit A – scope of work summary; Exhibit B – 15 photographs; Exhibit C – 3 sheets existing floor plans; Exhibit D – existing roof plan; Exhibit E – 2 sheets existing elevations; Exhibit F – 3 sheets proposed floor plans; Exhibit G – proposed roof plan; Exhibit H – 2 sheets proposed elevations; Exhibit I – window specifications; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of April, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of April, 2007 as indicated by Exhibits J and K.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to renovate and enclose non-original north porch, enclose east/rear side existing screened porch and renovate east/rear service porch per attached plans. Work will include the following: removal of north porch roof, shake siding, piers and lattice. Construct new roof, and install gutter to match existing. Replace existing shakes as necessary. Install new wood, SDL, casement windows per specifications. Add brick foundation, new door, stoop and stairs on east side. Remove screen mesh and wood frames on rear/east porch sunroom. Install new windows, trim and wood shakes. Add 4”x6” post w/wood trim and new knee wall to renovate east side service porch. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Porches, Entrances and Balconies found on pages 28-29 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  1. Porch enclosures are to the side and rear.
  2. Character defining features are preserved.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Riviere

Second by: Commissioner Shortell

Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Riviere

Second by: Commissioner Williams

Vote for: All

#### **Agenda Item**

**Owner/Applicant :** Nicole Mitchell  
**Subject Property:** 74 Magnolia Street  
**Hearing Date:** May 9, 2007  
**Historic District:** Montford  
**PIN:** 9649.13-13-5124  
**Zoning District:** RM-8  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She noted that she has received a few calls from neighbors with concerns about possible tree removal and the lack of porch railings and a chimney. She stated that chimneys are not required on new construction and that it is typical for low porches in the neighborhood to have no railings. She listed her concerns, including the fenestration, sidewalk orientation and setbacks.
<b>Applicant(s) or Applicant Representative(s)</b>	Nichole Mitchell, the applicant, stated that the house to the east is set unusually far back on the lot and the house to the west faces Cumberland Avenue instead of Magnolia Street. She said the setback she is proposing is similar to the three houses across the street. She explained that the small size and numbers of windows are an attempt to maximize the floor plan of the house and they were designed with furniture placement as well as privacy in mind. She displayed photographs of other structures in the area with fewer and smaller windows and photographs of two houses with solid wood doors. She displayed a streetscape and passed around color samples and photographs of the foundation stone. She told the Commissioners that she would welcome their direction on whether to make the sidewalk perpendicular to the street or to the house. She requested approval to remove one tree on the front section of the lot.

Public Comment	
Speaker Name	Issue(s)
None	

#### Commission Comments/Discussion

Commissioner Shortell said that the window photographs shown depicted an accessory structure and a single-story house so they were not good examples. The Commissioners also pointed out that the examples of solid doors were on different style houses. They agreed that the transom above the front door could remain, but that a solid door with no glass would not be appropriate. Commissioner Riviere said the proposed fenestration fails to capture the rhythm that is typical in the district and noted that the drawings from the preliminary review had the verticality and rhythm needed to blend with the surrounding structures. Commissioner Cram agreed and said the windows on the upper level should align with window and door openings on the lower level if possible. They discussed the proposed transoms over the windows on the house and the garage. It was suggested that the transom over the front garage window should be eliminated because the window opening was too large for the size of the structure. After discussion with Ms. Mitchell, it was decided that the proportion would be correct if the both the transom and window were smaller.

Commissioner Riviere said the setbacks should be determined by the houses on the same side of the street. Commissioner Moody asked if there was a house on the lot in the past. Ms. Merten confirmed that there was one set all the way back on the lot. The Commissioners agreed that the new house should be set further back on the lot. Ms. Merten suggested that she meet with the building code official to clarify the separation requirement between the house and the garage. The Commissioners agreed that they could approve flexible development for the garage to encroach into the rear setback if necessary so that the house could be moved back from the front of the lot.

There was discussion about the sidewalk placement and it was decided it should be perpendicular to the house instead of the street.

#### Commission Action

Commissioner Shortell made a motion to continue the hearing until the June, 2007 meeting.

Second by: Commissioner Moody

Vote for: All

#### Agenda Item

**Owner/Applicant :** Tom & Joey Outlaw  
**Subject Property:** 37 Watauga Street  
**Hearing Date:** May 9, 2007  
**Historic District:** Montford  
**PIN:** 9639.16-94-3534  
**Zoning District:** RS-8  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten stated that the applicant was not present, but suggested that they proceed with the hearing and the Commissioners agreed. She showed slides of the subject property and reviewed the staff report.
<b>Applicant(s) or Applicant</b>	None

Representative(s)	
Public Comment	
Speaker Name	Issue(s)
None	

### Commission Comments/Discussion

Commissioner Riviere stated that the project was appropriate and that similar proposals have been approved many times in the past and the other Commissioners agreed.

### Commission Action

#### MOTION TO ADOPT FINDINGS OF FACT

Mister Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – 3 photographs; Exhibit C – proposed rear elevation; and the Commission’s actual inspection and review of subject property by all members except Commissioner Riviere;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of April, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of April, 2007 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to add two dormers to rear of house per attached plans. All materials to match existing. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Additions found on page 55 in *The Design Review Guidelines for the Montford Historic District* adopted on December 8, 1999, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:

1. The addition is located on the rear elevation and is compatible with the main structure.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Cram  
Second by: Commissioner Williams  
Vote for: All

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Cram  
Second by: Commissioner Jones  
Vote for: All

Commissioner Perez entered the meeting room at 5:25 p.m.

### **Preliminary Reviews:**

#### **Agenda Item**

**Owner/Applicant:** Todd Fowler  
**Subject Property:** Harrison Street  
**Hearing Date:** May 9, 2007  
**Historic District:** Montford  
**PIN:** 9649.17-21-4617  
**Zoning District:** RS-8  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She said the applicant was requesting flexible development for the front setback, but noted that there was a discrepancy on the amount needed between the application form and the site plan. She passed around the storyboard.
<b>Applicant(s) or Applicant Representative(s)</b>	Todd Fowler, the applicant, said he would clarify the setback request in his final application. He said he plans to change the porch railings to the typical Montford style. He explained that he will be adding a half basement and described the changes to the rear elevation that would result.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>

#### **Commission Comments/Discussion**

Some Commissioners expressed concern that the angle of the roof created the look of a blank wall. Ms. Merten said that it may just look that way because the drawings don't show any texture on the roof. Mr. Fowler displayed a photograph of a house with a similar roof. There was discussion about the placement of exterior materials. The Commissioners agreed the general window placement and the rear elevation changes would be appropriate and noted that the new rear door should align with the window above it.

#### **Commission Action**

None

**Agenda Item**

**Owner/Applicant :** Gregg Homolka  
**Subject Property:** Elizabeth Place/Woodlawn Avenue  
**Hearing Date:** May 9, 2007  
**Historic District:** Montford  
**PIN:** 9649.14-22-6687/9649.14-22-6613  
**Zoning District:** RS-8  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten explained that the next two projects were identical houses placed back to back on a recently subdivided through lot. She said there would be two separate hearings and Certificates of Appropriateness. The Commissioners decided to discuss them together for the preliminary review. Ms. Merten showed slides of the subject properties and reviewed the staff report. She noted that the storyboards should be to scale and should show the true relationships to the adjacent structures as clearly as possible. She also said that the existing stone walls on the properties should be noted on the site plan and should be preserved. She expressed concern about the proposed setbacks.
<b>Applicant(s) or Applicant Representative(s)</b>	Gregg Homolka, the applicant, confirmed that the rock walls would be retained. He explained that the streets are narrow and the setbacks he has proposed are to allow for parking at the back of each lot, between the houses. He displayed the exterior materials, including smooth hardi-plank siding, cedar shakes and trim and epee decking boards. He said he plans to use beadboard for the porch ceiling. He asked the Commissioners if he could use clad windows.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
None	

**Commission Comments/Discussion**

There was discussion about the setbacks and it was agreed that the house on Elizabeth Place should definitely be set back further and perhaps the one facing Woodlawn Avenue as well. They told Mr. Homolka that he would need to provide a more detailed site plan, a proportional storyboard and an aerial photograph to show the rhythm of the existing houses on the street. Commissioner Moody asked if there had ever been a house on the lot and Ms. Merten said there was one and that it was placed near the center of the lot. The Commissioners agreed that clad windows would be appropriate for new construction.

**Commission Action**

None

## Public Hearings:

### Agenda Item

**Owner/Applicant :** Steven Moberg  
**Subject Property:** 56 Patton Ave./S & W Cafeteria  
**Hearing Date:** May 9, 2007  
**Historic District:** Downtown Area  
**PIN:** 9649.18-6121  
**Zoning District:** Local Historic Landmark  
**Other Permits:** Building & Zoning

<b>Staff Comments</b>	Ms. Merten showed slides of the subject property and reviewed the staff report. She asked for clarification on the work to be done to the front doors.
<b>Applicant(s) or Applicant Representative(s)</b>	David Aiton, project architect, displayed floor plan and elevations. He displayed a photograph of an addition on the Commerce Building. He passed around photographs of the subject property with the proposed addition sketched in place and a paint color sample. He displayed a sample of the glass, the window frame material and the roof shingle. He confirmed that the HVAC units will be concealed from all sides.
<b>Public Comment</b>	
<b>Speaker Name</b>	<b>Issue(s)</b>
None	

### Commission Comments/Discussion

Commissioner Starcher asked if the addition could be set back any further and Mr. Aiton explained that the position was selected for structural reasons. She said the proposed addition interferes with and alters the image of the existing building. Commissioner Cram said he felt that it would be possible to set it back further. Ms. Merten read from the Secretary of the Interior's Standards "an attached exterior addition to a historic building expands its "outer limits" to create a new profile. Because such expansion has the capability to radically change the historic appearance, an exterior addition should be considered only after it has been determined that the new use cannot be successfully met by altering non-character-defining interior spaces." She said the applicant has stated that the project wouldn't be feasible without constructing the addition and told the Commissioners that if they believe that to be true, that guideline has been met. She read the recommendations for new additions "constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged or destroyed; locating the attached exterior addition at the rear or on an inconspicuous side of a historic building and limiting its size and scale in relationship to the historic building; design new additions in a manner that makes clear what is historic and what is new; considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color. Placing new additions such as balconies and greenhouses on non-character-defining elevations and limiting size and scale in relationship to



the historic building; designing additional stories, when required for new use, that are set back from the wall plane and are as inconspicuous as possible when viewed from the street.”

Mr. Aiton said that the addition will be built in such a way so that it could be removed in the future without damaging or changing the original structure. Commissioner Shortell said the proposed addition doesn’t detract from the existing structure. The Commissioners discussed the paint and roof color. Some of them thought the shingles should be a lighter color and some thought they should be dark green. Several stated that the paint color should be more muted. Steven Moberg, the applicant, said that he would apply several different colors of roof shingles and paint colors during construction and asked if the Commissioners would come to the site to select the best ones. They agreed it would be best to see them on the building, but that they could be approved by staff with the help of a few Commissioners.

Mr. Aiton tried to clarify the work to be done to the front doors. After some discussion, Mr. Aiton asked to remove that section of his application and said he would submit another application at a later date.

Commissioner Cram said he felt that the project was being rushed through the process and said that other design ideas should be explored. Commissioner Starcher agreed. Chair Winer called for a straw vote. Eight Commissioners said they would approve the design with the condition that the paint and roof colors be approved on site and two Commissioners said they would not approve the design.

#### **Commission Action**

#### **MOTION TO ADOPT FINDINGS OF FACT**

Mister Chair, based upon the evidence presented to this Commission, including Exhibit A – preliminary application package dated 3/20/07, including 3 photographs, floor plans, building section and 2 photographs with proposed addition sketched in; Exhibit B – package dated 4/1/107, including photographs, floor plans, building code notes, excerpt from national register nomination and excerpt from the Secretary of the Interior’s Standards, Exhibit C – package dated 4/25/07, including photograph, floor plans, elevations and building section; Exhibit D – perspective photographs; Exhibit E – roof shingle sample; Exhibit F – paint color sample; Exhibit G – window glass and frame sample; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of April, 2007, and that each owner of real property situated within two hundred feet of the subject property were notified of this hearing in the mail on the 25<sup>th</sup> day of April, 2007 as indicated by Exhibits H and I.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. Application is to construct upper level addition per attached plans. Addition will be set back 16’ 2.5” and rise 13’ above the existing parapet wall. The addition will be smooth stucco, the roof will be Elk brand 50-year asphalt shingles and windows will be clear glass. **All necessary**

**permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the Secretary of the Interior's Standards for Rehabilitation, New Additions were used to evaluate this request.

5. This application **does** meet the design guidelines for the following reasons:

1. The new addition is being constructed with the least possible impact to character defining features.
2. The new addition is set back from the wall plane and is inconspicuous when viewed from the street.
3. The new addition is clearly distinguished from the old.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of this local historic landmark.

Motion by: Commissioner Williams

Second by: Commissioner Jones

Vote for: Commissioners Coppedge, Shortell, Riviere, Williams, Jones, Moody, Perez and Chair Winer

Vote against: Commissioners Cram and Starcher

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued with the condition that the exterior paint and roof colors will be approved by staff after consultation with an HRC design team.**

Motion by: Commissioner Williams

Second by: Commissioner Shortell

Vote for: Commissioners Coppedge, Shortell, Riviere, Williams, Jones, Moody, Perez and Chair Winer

Vote against: Commissioners Cram and Starcher

### **Agenda Item**

Owner/Applicant: City of Asheville/Public Works Department

Subject Property: Biltmore Village

Hearing Date: May 9, 2007

Historic District: Biltmore Village

<b>Staff Comments</b>	Ms. Merten said that the applicant has requested a continuance.
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### **Commission Action**

Commissioner Shortell made a motion to continue the hearing until the June, 2007 meeting.

Second by: Commissioner Moody

Vote for: All

**Other Business:**

Chair Winer presented the following slate for Commission officers for the coming year:

Chair: Marsha Shortell

Vice-Chair: Rob Moody

Secretary: Diane Duermit

Treasurer: Alice Coppedge

Commissioner Shortell nominated Chair Winer to serve another term as Chair and he declined.

Commissioner Jones made a motion to close the nominations.

Second by: Commissioner Williams

Vote for: All

Commissioner Williams made a motion to adopt the slate.

Second by: Commissioner Riviere

Vote for: All

Ms. Merten asked for volunteers to serve on a design team to help the owner of 68 Courtland Avenue with ideas to try to remediate his window replacement violation. Commissioners Riviere and Starcher volunteered and Chair Winer appointed Commissioner Bebbber.

Ms. Merten told the Commissioners she received a preliminary application for landmark status for 32, 34 and 46 Haywood Street and 1 Battery Park Avenue. She asked for volunteers to serve on a property committee to view the buildings. Commissioners Moody and Starcher volunteered and Chair Winer appointed Commissioner Bebbber.

Commissioner Moody made a motion to adjourn the meeting.

Second by: Commissioner Starcher

Vote for: All

Chair Winer adjourned the meeting at 7:55 p.m.